



JAN 24 2003

Fax Urgent Return reply requested

Original will be sent as confirmation

To: U.S. Patent and Trademark Office

Date: January 24, 2003

Attention: Ms. Karen Creasy

Re:
U.S. Utility Patent Appl. No. 09/900,635
Filed: July 6, 2001
For: **Automatic Turbogenerator
Restarting System**
Inventors: Gilbreth *et al.*

From: Virgil L. Beaston, Esquire *VLB*

Pages (including cover sheet): 15

Your Reference:

Fax No: (703) 308-6916

Our Reference: 2066.0240001

Message

Dear Karen:

Per our conversation, please withdraw this application from issue so that the RCE and IDS may be considered.

If any portion of this transmission is not received clearly or in full,
contact us at 202.371.2600 or f 202.371.2540.

This message is intended for the exclusive use of the individual or entity to which it is addressed. The message may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this communication in any way is strictly prohibited. If you have received this communication in error, please call us collect immediately, and return the original message to us at the above address via the U.S. Postal Service.

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Gilbreth et al.
Appl. No. 09/900,635
Filed: July 6, 2001
For: **Automatic Turbogenerator
Restarting System (as amended)**

Confirmation No.: 8387
Art Unit: 2834
Examiner: Ponomarenko, N.
Atty. Docket: 2066.0240001
(Capstone Ref. No. 0381)

**Petition To Withdraw from Issue under 37 C.F.R. § 1.313(c)(2)
For Consideration of a Request for Continued Examination**

Commissioner for Patents
Washington, D.C. 20231

JAN 24 2008

Sir:

It is hereby petitioned under 37 C.F.R. § 1.313(c)(2) that the above-captioned application be withdrawn from issue for consideration of the accompanying request for continued examination in compliance with 37 C.F.R. § 1.114.

It is believed that no extensions of time are necessary, other than those that are otherwise provided for herewith. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the above-captioned application, then such extensions of time are hereby petitioned.

This petition is accompanied by the required fee (37 C.F.R. § 1.17(h)). The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Virgil L. Beaston
Attorney for Applicants
Registration No. 47,415

Date 12/24/02

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

ODMAWHDMA\SKGF.DCI:87284:1
SKGF Rev. 12/18/02



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,635	01/28/2003	6512306	2066.0240001	8387

28393 7590 01/09/2003

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, NW
SUITE 600
WASHINGTON, DC 20005-3934

JAN 22 2003

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

1/22
ESU
1/23/03
JAN

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The patent term adjustment is 0 day(s), and will be printed on the front page of the patent.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

APPLICANT(S):

Mark G. Gilbreth, Woodland Hills, CA;
Simon R. Wall, Thousand Oaks, CA;
Ake N.C. Almgren, Calabasas, CA;
Joel B. Wacknov, Thousand Oaks, CA;

JAN 24 2003

JAN 24 2003

Due Date:

Applicant: Gilbreth *et al.*

Art Unit: 2834

Examiner: Ponomarenko, N.

Application No.: 09/900,635

Docket: 2066.0240001
(Capstone Ref. No. 0381)

Filed: July 6, 2001

Atty: EJK/VLB

For: Automatic Turbogenerator Restarting System (*as amended*)

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter;
2. PTO Fee Transmittal (Form PTO/17/SB);
3. Form PTO-2038 Credit Card Payment Form;
4. Petition To Withdraw from Issue Under 37 C.F.R. § 1.313(c)(2) For Consideration Of A Request For Continued Examination;
5. Request for Continued Examination;
6. Information Disclosure Statement;
7. Form PTO-1449 accompanied by and listing three documents; and
8. One return postcard.

Please Date Stamp And Return To Our Courier





ATTORNEYS AT LAW

Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy Gene G. Durkin
Michael A. Cimbala
Michael B. Ray
Robert E. Soloch
Eric K. Steele
Michael O. Lee
Steven R. Ludwig
John M. Covert
Linda E. Akorn
Robert C. Mikard
Lawrence B. Bugaldy
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Gerstl
Jeffrey T. Heveya
Heidi L. Kraus
Edward W. Tee
Albert L. Festa
Donald R. Bancroft
Peter A. Beckman
Molly A. McCall
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capurso
Albert J. Fasola II
Eldora Elton Floyd
Thomas C. Riske
Brian J. Del Buono

Virgil Lee Beason*
Kimberly N. Reddick
Theodore A. Wood
Elizabeth J. Haasen
Bruce E. Chalka
Joseph S. Ostroff
Frank R. Corrington
Christine M. Luhm
Rae Lynn Pringaman
Jane Shereshenovich*
Lawrence J. Carroll*
George S. Borcherser
Daniel A. Reh*
Rodney G. Marx
Jason D. Eisenberg
Michael A. Specht
Andrea J. Kurnage
Tracy L. Muller*

Jan E. Wright*
Lorraine M. Yurick*
Registered Patent Agents*
Karen R. Markowitz
Nancy J. Leib
Ann E. Summerfield
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Angeline G. Ly
Boris A. Maturov
Mary B. Tung
Karina T. Pei
Bryan L. Stetton
Robert A. Schwartzman
John J. Fligman

Timothy A. Doyle
Jennifer A. Mahalingappa
Terese A. Coticla
Jeffrey S. Lundgren
Victoria S. Rutherford
W. Brian Edge
Senior Counsel
Samuel L. Fox
Kenneth C. Bass III
Lisa A. Dunner

*Admitted only in Maryland
-Admitted only in Virginia
-Admitted only in Texas
#Practice limited to
Federal Agencies

December 24, 2002

WRITER'S DIRECT NUMBER:
(202) 312-7271

INTERNET ADDRESS:
vbeaston@skgf.com

Commissioner for Patents
Washington, D.C. 20231

JAN 24 2003

Box RCE

Re: U.S. Utility Patent Application
Appl. No. 09/900,635; Filed: July 6, 2001
For: Automatic Turbogenerator Restarting System (as amended)
Inventors: Gilbreth *et al.*
Our Reference: 2066.0240001 (Capstone Ref. No. 0381)

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal (Form PTO/17/SB);
2. Form PTO-2038 Credit Card Payment Form;
3. Petition To Withdraw from Issue Under 37 C.F.R. § 1.313(c)(2) For Consideration Of A Request For Continued Examination;
4. Request for Continued Examination;
5. Information Disclosure Statement;
6. Form PTO-1449 accompanied by and listing three documents; and
7. One return postcard.

Commissioner for Patents

December 24, 2002

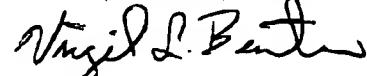
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Virgil L. Beaston
Attorney for Applicants
Registration No. 47,415

Enclosures

VLB/jlc
::ODMA\WHDMA\SKGF_DC1:87280;1
SKGF Rev. 11/01/01 mac

FEE TRANSMITTAL

for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 500.00)

Complete if Known

Application Number	09/909,685
Filing Date	July 6, 2001
First Named Inventor	Mark G. Gilbreth
Examiner Name	Ponomarenko, N.
Group Art Unit	2834
Attorney Docket No.	2066.0240001 (Capstone 0381)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

Deposit Account
Deposit Account Number 18-0036

Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any over payments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-
identified deposit account.

— Charge any dividends or credit any overpayments in the fees or fee calculations of Parts
1, 2 and 3 below to Deposit Account No. 18-0036.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

JAN 24 2003

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	66	Surcharge - late filing fee or oath	
1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for an parts reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1261	110	2251	56	Extension for reply within first month	
1252	400	2252	200	Extension for reply within second month	
1253	820	2253	480	Extension for reply within third month	
1254	1,440	2254	720	Extension for reply within fourth month	
1266	1,980	2255	980	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,610	1451	1,510	Petition to Institute a public use proceeding	
1452	110	2462	66	Petition to revive - unavoidable	
1463	1,280	2463	640	Petition to revive - unintentional	
1501	1,280	2501	640	Utility issue fee (or reissue)	
1502	480	2502	230	Design issue fee	
1503	620	2603	310	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	\$130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)	
1808	160	1808	160	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	740	2809	370	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	740	2810	370	For each additional invention to be examined (37 CFR 1.129(b))	
1801	740	2801	370	Request for Continued Examination (RCE)	\$370.00
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (\$) (\$ 500.00)

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Virgil L. Beaston	Registration No. (Attorney/Agent)	47,415	Telephone	202-371-2600
Signature				Date	12/24/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-767-9199) and select option 2.

::ODMAMWHODMAMSKGF_DC1;87285;1

#13
RCE
2/11/03REQUEST
FORCONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/900,635
Filing Date	July 6, 2001
First Named Inventor	Mark G. Gilbreth
Group Art Unit	2834
Examiner Name	Ponomarenko, N.
Attorney Docket Number	2066.0240001 (Capstone Ref. 0381)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14866 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS) accompanied by three documents
 - iv. Other _____

JAN 24 2002

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge any deficiencies, or credit any overpayments, for the following to Deposit Account No. 19-0036
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. Check in the amount of \$ _____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	VIRGIL L. BEASTON STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.	Registration No. (Attorney/Agent)	47,415
Signature	<i>Virgil L. Beaston</i>	Date	12/24/02

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Commissioner for Patents, Box RCE, Washington, DC 20231.

+ :ODMA\HODMA\SKGR_DC1;87287;

SKGF Rev. 10/20/00 msc

Filed On

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2001

Application or Docket Number

09/900635

RCE

CLAIMS AS FILED - PART I

TOTAL CLAIMS	(Column 1)	(Column 2)
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	1 minus 20 =	* ✓
INDEPENDENT CLAIMS	— minus 3 =	* ✓
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

AMENDMENT A	(Column 1)		(Column 2)	(Column 3)
	CLAIMS REMAINING AFTER AMENDMENT	Minus	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>	

SMALL ENTITY TYPE	OTHER THAN OR SMALL ENTITY
RATE	FEES
BASIC FEE	370.00
OR	BASIC FEE
X\$ 9=	740.00
OR	X\$18=
X42=	X84=
+140=	+280=
TOTAL	TOTAL
OR	OR

SMALL ENTITY	OTHER THAN OR SMALL ENTITY
RATE	ADDITIONAL FEE
X\$ 9=	
OR	X\$18=
X42=	X84=
+140=	+280=
TOTAL ADDITIONAL FEE	TOTAL ADDITIONAL FEE
OR	OR

AMENDMENT B	(Column 1)	(Column 2)	(Column 3)	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	CLAIMS REMAINING AFTER AMENDMENT	Minus	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA			
Total	*	Minus	**	=			
Independent	*	Minus	***	=			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>				

AMENDMENT C	(Column 1)	(Column 2)	(Column 3)	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	CLAIMS REMAINING AFTER AMENDMENT	Minus	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA			
Total	*	Minus	**	=			
Independent	*	Minus	***	=			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>				

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.